

SHOW CAUSE HEARING of the Town Council held Wednesday, January 11, 2006 at 6:20 o'clock P.M. in the Council Chamber, Town Building, Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: None

Note: The Show Cause Hearing commenced on November 28, 2005, at which time the matter was continued to January 11, 2006; and at which time the Town Council extended the current licenses of the Maddog Saloon to January 11, 2006, subject to receipt of certificate of good standing, certification from the department of health and insurance certificate.

1. The Town Council of the Town of Burrillville, Rhode Island, acting in their capacity as licensing commissioners for said Town, will hear evidence concerning complaints submitted by Colonel Bernard E. Gannon, Chief of Police of the Town of Burrillville in regards to the Class B Victualing Liquor License, numbered 2, which was granted on the 30th day of November 2004 and issued to Bolduc, Inc. d/b/a/ Maddog Saloon.

Assistant Solicitor William Bernstein informed the Town Council that,

the after discussion and negotiation, it appeared that a resolution had been reached. Bolduc, Inc. d/b/a/ Maddog Saloon, he believed, would admit to the violations under §8-55-11, §8-55-12 and §8-55-14. Mr. Bernstein recommended that the deck area be closed until it was enclosed as part of the main premises and further recommended a suspension of the license. Mr. Bernstein recommended that the length of the suspension be at the discretion of the Town Council.

John Quattrocchi, Esq., addressed the Town Council on behalf of Bolduc, Inc. d/b/a Maddog Saloon. Mr. Quattrocchi agreed that his client would conditionally stipulate to the violations and discussed the record of the situation. Walter J. Kane, Town Solicitor, indicated that the Town Council required an unconditional stipulation but suggested that Bolduc, Inc. d/b/a Maddog Saloon might reserve the right of appeal. Mr. Quattrocchi concurred.

2. VOTED to close the show cause hearing.

Motion by Councilor William E. Gonyea. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

VOTED that the Police Department has presented evidence that proves that the conduct alleged in the Show Cause Order issued by

this Town Council has occurred; that the license be suspended for a period of three (3) days; that the effective date for the suspension commence on January 12, 2006; that in addition all access to the deck except as an emergency exit be eliminated. Because this is the first sanction imposed on the license holder by the Council, I have not moved to revoke the license.

Discussion: Walter J. Kane, Town Solicitor, indicated that the current license expired on January 11, 2006 and that any sanctions against the license would apply to the renewed license. Councilor Margaret L. Dudley voiced her opinion that the sanctions were insufficient. Councilor William E. Gonyea suggested that the Town Council had insufficient guidelines to determine the length of a suspension.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion carried, five in favor, two opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns and Ronald E. Faford. Voting in opposition were Councilors Margaret L. Dudley and William E. Gonyea.

3. VOTED to open consideration and action on applications for the following:

A. That the following renewal of a Retail License Class B (Victualer) Alcoholic Beverage License under provision of Title 3, Chapter 7,

GENERAL LAWS of Rhode Island, 1956, as amended, for the period beginning January 12, 2006 and ending November 30, 2006, subject to obtaining a Certificate of Good Standing from the State Division of Taxation prior to the date of said renewal, and a copy of certification from the Rhode Island Department of Health and Certificate of Insurance in compliance with §8-28 of the Ordinances of the Town of Burrillville.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Note: All required certifications were on file in the office of the Town Clerk.

VOTED to grant renewal of a Retail License Class B (Victualer) Alcoholic Beverage License under provision of Title 3, Chapter 7, GENERAL LAWS of Rhode Island, 1956, as amended, for the period beginning January 12, 2006 and ending November 30, 2006, to BOLDUC, INC. d/b/a Maddog Saloon, in building owned by Sheila Ann Finn, 98 Pascoag Main Street, Pascoag (Assessors' Map 175, Lot 40)

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L.

Dudley, Ronald E. Faford and William E. Gonyea.

B. VOTED to grant a Victualing House Licenses under provisions of Title 3, Chapter 7 and Title 5, Chapter 24, Section 1, GENERAL LAWS OF Rhode Island, 1956, as amended, following for the period beginning December 1, 2005 to BOLDUC INC., d/b/a Maddog Saloon, in building owned by Sheila Ann Finn, 98 Pascoag Main Street, Pascoag (Assessors' Map 175, Lot No. 40).

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

C. VOTED to grant a license for one pool table to BOLDUC INC., d/b/a Maddog Saloon, in building owned by Sheila Ann Finn, 98 Pascoag Main Street, Pascoag (Assessors' Map 175, Lot No. 40).

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

D. VOTED to grant an annual entertainment license to BOLDUC INC., d/b/a Maddog Saloon, in building owned by Sheila Ann Finn, 98

Pascoag Main Street, Pascoag (Assessors' Map 175, Lot No. 40).

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

4. VOTED to adjourn at 6:44 P.M.

Motion by Councilor William E. Gonyea. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

The hearing was taped. The tape is on file with the record of the hearing.

Louise R. Phaneuf, Town Clerk